UNITED NATIONS

E

Economic and Social Council

Distr.
GENERAL

E/CN.4/1994/SR.42
18 June 1996

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS

Fiftieth session

SUMMARY RECORD OF THE 42nd MEETING

Held at the Palais des Nations, Geneva,
on Friday, 25 February 1994, at 3 p.m.

Chairman: Mr. van WULFFTEN PALTHE (Netherlands)

later: Mr. URRUTIA (Peru)

CONTENTS

Consideration of draft resolutions and decisions related to agenda items 20, 7 and 16

Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission:

(a) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms;

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Commission at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.94-11576 (E)

CONTENTS (continued)

(b) National institutions for the promotion and protection of human rights;

(c) Coordinating role of the Centre for Human Rights within the United Nations bodies and machinery dealing with the promotion and protection of human rights;

(d) Human rights, mass exoduses and displaced persons;

(e) International Year of the Family (continued)

Advisory services in the field of human rights (continued)

Question of the violation of human rights in the occupied Arab territories, including Palestine

The meeting was called to order at 3.35 p.m.

CONSIDERATION OF DRAFT RESOLUTIONS AND DECISIONS RELATED TO AGENDA ITEMS 20, 7 AND 16

Draft resolution E/CN.4/1994/L.26 (agenda item 20)

1. Mr. BIGGAR (Observer for Ireland) introduced the draft resolution and noted that in paragraph 20 of the English text, the word "contributions" should be placed in the singular. He expressed the hope that the draft resolution would be adopted by consensus.

2. Mr. LEBAKINE (Secretary of the Commission) announced that Spain, Bulgaria, Tunisia, the Philippines, Cyprus, France, Luxembourg, Malta, Greece, the United States of America, Iceland and Slovakia had become sponsors of the draft resolution.

3. Mr. GANAPATHY (Malaysia) requested that the words "human rights" should be replaced by "all human rights" throughout the text. With regard to paragraph 13, which "Encourages the Special Rapporteur to continue to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend appropriate remedial measures, including the provision of advisory services by the Centre for Human Rights", he said that, in the opinion of his delegation, the Special Rapporteur's mandate did not authorize him to recommend the provision of advisory services by the Centre for Human Rights.

4. Mr. KHOURY (Syrian Arab Republic) associated himself with the remark made by the representative of Malaysia. He also said that he would prefer the use of the words "a person or group" rather than "persons or groups of persons" in the twelfth preambular paragraph and paragraph 11.

5. Mr. ZHANG Yishan (China) said that he agreed with the objection made by the representative of Malaysia, noted that the provision of advisory services was a matter for a sovereign decision on the part of the countries which wished to receive them and, therefore, requested the deletion of the second part of paragraph 13, beginning with the words "and to recommend appropriate remedial measures ...".

6. Mr. BIGGAR (Observer for Ireland) said that he did not object to the wording, "all human rights", but he hoped that that change would not entail a grammatical error in the English version of paragraph 6. As to modifying paragraph 13, he expressed surprise that no delegation had commented earlier on the text of the draft resolution, which had been available for several days. The wording of paragraph 13 was altogether in keeping with the Special Rapporteur's mandate, which explicitly authorized him to recommend measures to be taken in such situations, including the provision of advisory services by the Centre for Human Rights. For that reason, his delegation was firmly opposed to a change in that paragraph, which would be tantamount to changing the very mandate of the Special Rapporteur.

7. Mr. GWAM (Nigeria) supported the proposal of Malaysia for a change in the draft resolution.

8. Mr. ZHANG Yishan (China) emphasized the differences between the draft resolution and resolution 1993/25, adopted during the previous session, paragraph 12 of which encouraged "the Special Rapporteur to continue to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate". Furthermore, paragraph 15 of that resolution encouraged "the Special Rapporteur to consider whether the programme of advisory services in the field of human rights might be of assistance in certain situations, at the request of States, and to make appropriate recommendations in this regard;". Since the new draft resolution did not mention the essential criterion of the request of States, his delegation requested the deletion of the second part of paragraph 13 of the draft resolution under consideration.

9. Mr. SABHARWAL (India) also stressed the need for the new draft resolution to reflect the fact that the request of States was an indispensable prerequisite for the provision of advisory services.

10. Mr. MALGINOV (Russian Federation), speaking as a sponsor of the draft resolution, said that paragraph 13 was in no way inconsistent with the Special Rapporteur's mandate; on the contrary, it gave him the possibility of his activities leading to concrete results.

11. Mr. BIGGAR (Observer for Ireland) said that the sponsors of the draft resolution had not intended to be controversial, but merely to shorten a resolution which they felt was too long. There had, of course, never been any question of imposing advisory services on any State; his delegation therefore proposed that paragraph 13 should be changed to read: "and to recommend appropriate remedial measures, including, at the request of States, the provision of advisory services by the Centre for Human Rights". If it was still impossible for the draft resolution, as amended, to be adopted by consensus, further consultations would be necessary.

12. Mr. GANAPATHY (Malaysia) refused to accept that change and stressed the need to delete the second part of paragraph 13.

13. Mr. BIGGAR (Observer for Ireland) said he found that request unacceptable since, once again, it would amount to changing the mandate of the Special Rapporteur.

14. Mr. ZHANG Yishan (China) said that, for many years, a resolution on the subject had been adopted by consensus. His delegation was in favour of continuing consultations to make the text of the draft resolution reflect the preventive, rather than corrective, nature of the provision of advisory services. He requested a suspension of the meeting.

15. It was so decided.

16. The meeting was suspended at 4.15 p.m and resumed at 4.35 p.m.

17. The CHAIRMAN asked the Observer for Ireland if the consultations which had just taken place had achieved any results.

18. Mr. BIGGAR (Observer for Ireland) announced that after intense discussion, the sponsors of draft resolution E/CN.4/1994/L.26 had reached agreement on a number of changes. The addition of the word "all" before "human rights", wherever those words appeared in the text, had been considered acceptable. The deletion of the words "of persons" after the word "groups" in the twelfth preambular paragraph and paragraph 11 was also acceptable. The sponsors were willing to accept the deletion of the last part of paragraph 13, "including the provision of advisory services by the Centre for Human Rights;", but only on condition that a paragraph 16 bis should be added, the text of which would be identical to paragraph 15 of the resolution adopted the previous year on the same question (resolution 1993/25):

> "Encourages the Special Rapporteur to consider whether the programme of advisory services in the field of human rights might be of assistance in certain situations, at the request of States, and to make appropriate recommendations in this regard;".

He and the other sponsors of the draft resolution believed that those changes should allow the draft resolution to be adopted by consensus.

19. Mr. LEBAKINE (Secretary of the Commission) made a statement of the administrative, budgetary and financial implications of the draft resolution and explained that, since it fell into the category of the continuing activities of the United Nations, it would be funded under the regular budget for the biennium 1994-1995.

20. The CHAIRMAN said that, if there was no objection, he would take it that draft resolution E/CN.4/1994/L.26, as amended, was adopted by consensus.

21. Draft resolution E/CN.4/1994/L.26 was adopted without a vote.

Draft resolution E/CN.4/1994/L.18 (agenda item 7)

22. The CHAIRMAN asked the Observer for Portugal if the consultations on the draft resolution had been successful.

23. Mrs. GOMES (Observer for Portugal) replied that, after intense consultation, a consensus seemed to have emerged. There had been a number of changes to the draft resolution. The first was the substitution of the word "people" for the word "individuals" in the ninth preambular paragraph of the English version. The second was the addition to paragraph 2 also in the English version, of the words "within the framework" after the words "relevant issues"; the French version of the paragraph would need to be rewritten accordingly. The third was to make the second part of paragraph 7 into a new paragraph 7, which would then read: "Recognizes the importance of using indicators as a means of measuring or assessing progress in the realization of human rights, as referred to in the Vienna Declaration and Programme of Action"; the beginning of the former paragraph 7 would become new paragraph 8, commencing by "Notes" and then following the wording of the original paragraph 7: "the conclusions and recommendations of the seminar on appropriate indicators to measure achievements in the progressive realization of economic, social and cultural rights, held at Geneva in January 1993;".

The following paragraphs would be renumbered accordingly. A fourth change would be made to the former paragraph 8, which had become paragraph 9; the words "as well as representatives of States" would be added after "non-governmental organizations" and the last part of the sentence, "as well as the nature of States parties' obligations" would be deleted. Finally, in the former paragraph 12, which had become paragraph 13, it was suggested that the words "Takes note with interest of" should be replaced by "Endorses". She thought that it would be possible for the draft resolution, as amended, to be adopted by consensus.

24. The CHAIRMAN summarized the proposed changes and asked if there were any other proposals.

25. Mr. GANAPATHY (Malaysia) asked that the word "fundamental" should be added before the word "freedoms" in the English version of the third preambular paragraph. (The French version would remain unchanged.) He also requested that the last phrase in the paragraph ("and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other rights") should be deleted.

26. Mrs. GOMES (Observer for Portugal) said that she had not been informed, as should have been the case, of that proposed change, which was a substantive change, and she was afraid that it would be very difficult at the current stage to consult the 31 sponsors.

27. The CHAIRMAN asked the representative of Malaysia whether, under those circumstances, he wished to maintain his proposed amendment to the draft resolution.

28. Mr. GANAPATHY (Malaysia) said that he wished to maintain his proposal and, if necessary, would require a vote.

29. The CHAIRMAN suspended the discussion of draft resolution E/CN.4/1994/L.18 and asked the Portuguese delegation to continue its consultations.

Draft resolution E/CN.4/1994/L.24 (agenda item 16)

30. The CHAIRMAN asked the representative of Canada whether the consultations on the draft resolution had been successful.

31. Mr. KESSEL (Canada) said that the Indian and Kenyan delegations had agreed on the following wording for paragraph 9 of the text, which the sponsors had deemed acceptable: "Urges States parties to address, as a matter of priority, at their next scheduled meetings, the issue of States parties consistently not complying with their reporting obligations". Furthermore, the Cuban delegation had requested the deletion from paragraph 6 of the Spanish of the word "otros" before "órganos pertinentes" and the replacement of the word "pertinentes" by the word "competentes"; that change did not apply to the English and French versions.

32. Mr. LEBAKINE (Secretary of the Commission) made a statement of the administrative, budgetary and financial implications of the draft resolution; since it fell within the continuing activities of the United Nations, it would be funded under the budget for the biennium 1994-1995.

33. The CHAIRMAN said that, if there was no objection, he would take it that draft resolution E/CN.4/1994/L.24 was adopted by consensus.

34. Draft resolution E/CN.4/1994/L.24 was adopted without a vote.

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION:

(a) ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS;

(b) NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS;

(c) COORDINATING ROLE OF THE CENTRE FOR HUMAN RIGHTS WITHIN THE UNITED NATIONS BODIES AND MACHINERY DEALING WITH THE PROMOTION AND PROTECTION OF HUMAN RIGHTS;

(d) HUMAN RIGHTS, MASS EXODUSES AND DISPLACED PERSONS;

(e) INTERNATIONAL YEAR OF THE FAMILY

(agenda item 11) (continued) (E/CN.4/1994/34, 35, 36, 37, 38, 39 and Corr.1, 40, 41, 42, 43 and Add.1, 44 and Add.1, 45 and 74; E/CN.4/1994/NGO/2, NGO/3 and NGO/4; A/48/579)

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS (agenda item 19) (continued) (E/CN.4/1994/73/Add.1, 75, 76 and Add.1, 77 and Add.1, 78 and Add.1 and 109; A/CONF.157/23)

35. Mrs. LEBOTSA (Lesotho) said that, as stated in the report of the Secretary-General (E/CN.4/1994/78), Lesotho had been given technical and financial assistance by the United Nations under the programme of advisory services and technical assistance in the field of human rights, which had consisted essentially of a programme of preparation for the March 1993 general elections. Following the elections, the Government had been faced with the task of ensuring the proper functioning of all the country's socio-economic, political and legal structures. To that end, it had enacted the Law Review Commission Act; the Commission was responsible for reviewing the national legislation to ensure its compatibility with the international instruments to which Lesotho was a party. The Ministry of Justice was currently reviewing the Prisons Proclamation of 1957, to bring it into line with the provisions of the Standard Minimum Rules for the Treatment of Prisoners, and the Local and Central Courts Proclamation of 1959, which constituted the country's criminal procedure law, to make it compatible with the provisions of the International Covenant on Civil and Political Rights. That review of legislation was associated with the establishment of institutional machinery to coordinate

human rights activities. For example, the former Ministry of Justice and Prisons had been redesignated the Ministry of Justice and Human Rights, and a human rights unit within it would focus on the promotion and protection of those rights and the discharge of Lesotho's reporting obligations under the international human rights instruments which it had ratified. Owing to Lesotho's lack of expertise and experience, it had not yet submitted its report in implementation of the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights. It might be useful for the Manual on Human Rights Reporting to be disseminated through a series of workshops for interested United Nations Member States.

36. Attempts to develop a human rights culture in Lesotho were under way. Local human rights training programmes for police, prison officers, magistrates, prosecutors, lawyers and members of non-governmental organizations (NGOs) were also in preparation. In addition, the Danish Centre for Human Rights had offered two fellowships for research in the field of human rights and the administration of justice for students from Lesotho. That bilateral cooperation no way diminished the importance of a post-electoral needs assessment mission from the United Nations Centre for Human Rights as a contribution to the establishment of a comprehensive human rights programme in Lesotho. In that regard, her delegation thanked the Centre for Human Rights for having provided a civil servant from Lesotho with a fellowship for study of international human rights law and the United Nations system and hoped that other such fellowships would be made available.

37. She concluded by stressing the need for effective implementation of the Vienna Declaration and Programme of Action. As a developing country in need of assistance from the international community, Lesotho supported the call of other countries for an increase in the Centre's financial resources and, in that regard, hoped that South Africa would receive assistance under the centre's programme of advisory services and technical assistance.

38. Mr. Urrutia (Peru) took the Chair.

39. Mr. HASSAN (Sudan) thanked the representative of the Secretary-General, Francis Deng, for the very instructive report on internally displaced persons (E/CN.4/1994/44) which he had submitted. That problem was of particular importance to the Sudan, where population displacements were due not only to natural causes, such as drought and desertification, but also, and above all, to the civil war in the south and south-west of the country. His Government had developed a whole programme to improve the living conditions of displaced persons who had been resettled in temporary camps near the capital and, in particular, to provide them with water and health care. It was also attempting to set up peace villages in the liberated regions. Since the Government's installation in June 1989, it had also taken a number of steps to put an end to the civil war, for example, by announcing a unilateral cease-fire and general amnesty for all combatants and by inviting all parties to negotiate. Those negotiations had been conducted at Addis Ababa, Nairobi and Abuja. The national conference for dialogue between all the warring parties had led to the adoption of resolutions recognizing the ethnic and religious pluralism of the Sudan, freedom of religion, the equality of all citizens under the law, and the establishment of the Shariah as the basis for

the law, except in the south of the country. The Abuja negotiations might have resulted in the signing of a peace agreement were it not for foreign intervention, but the Government remained optimistic and had accepted all the offers of mediation which it had received in an attempt to find a means of restoring peace in the country.

40. Humanitarian assistance should be provided in accordance with bilateral agreements between the Government and the humanitarian organizations and must not be used as a means of exerting political pressure. In that regard, he noted that the Sudanese Government was cooperating fully with the United Nations agencies which had organized relief operations in the Sudan and with various charitable organizations and the Red Cross. To that end, the Government had set up an office for voluntary work and reconstruction. The Sudan had been the first to welcome the visit of the Secretary-General's representative and that of the representative of the Department of Humanitarian Affairs, who, moreover, had made particular mention of the cooperation they had received. It was important to note that fact, since all the rumours spread by the media, to the effect that the Government and the Sudanese army were hindering the relief process, were total lies. It was the rebels who were responsible for those problems and who were violating human rights; the international community should, therefore, take urgent measures to compel the rebels to respect the cease-fire agreements so that the populations of the south could be removed to the regions under Government control, where they would receive the assistance they needed.

41. However, the Government of the Sudan did not approve of the suggestion of the Secretary-General's representative with regard to the deployment of international human rights observers at the regional level, since that would not solve the domestic problems, could only aggravate existing tensions, and would constitute interference in the domestic affairs of a country which was striving unceasingly to achieve national unity. The Sudanese Government and the national and regional bodies were in a position to provide the international community with all the information which it needed to evaluate the problems, monitor the development of the situation and provide the required assistance. It was urgent for the international community to deal with the problem of displaced persons, but it should do so in cooperation with the Governments of the countries concerned. His delegation appreciated the efforts which had been made in that area and would continue its own efforts so that peace could be re-established in the Sudan in the near future.

42. His delegation hoped that any resolution on the matter which the Commission adopted would invite the international community to provide emergency aid to the neediest regions, stress the need for relief agencies to cooperate with the national Government, invite all parties to facilitate the delivery of relief supplies to the population and to negotiate with a view to achieving an equitable solution to the problem within the framework of national unity and without foreign intervention, suggest that the various United Nations humanitarian institutions should consider how best to gather information on the situation, and emphasize the need to improve the coordination of relief and assistance operations, particularly in the rural areas.

43. Mr. DON NANJIRA (Kenya) speaking on agenda item 11, thanked the secretariat for all the documentation it had prepared on the search for means of promoting and encouraging the effective realization of human rights and fundamental freedoms throughout the world.

44. With regard to the development of public information activities in the field of human rights, including the World Public Information Campaign for Human Rights, which was the subject of document E/CN.4/1994/36, his delegation supported the request that the financial and human resources of the Centre for Human Rights should be strengthened to enable it better to carry out its mandate, it also supported all efforts to make the World Campaign more effective, including the proposal to launch a Decade for human rights. It called upon all parties concerned, more particularly Governments, United Nations organizations and bodies, other international organizations and private-sector entities, including NGOs, individuals and scientific and academic associations, to step up their efforts to promote and protect human rights and to cooperate with the Centre and other mechanisms and actors in the field of human rights. When developing countries submitted requests for assistance to the Centre, they should indicate their priorities in the area of human rights and should clearly explain what they needed to supplement their efforts at the national level. His delegation therefore endorsed the recommendations contained in document E/CN.4/1994/36.

45. It was clear that human rights education was an important tool for the realization and enjoyment of those rights. His delegation therefore endorsed the proposals for such education contained in document E/CN.4/1994/39 and hoped that they would be implemented. In particular, it believed that implementation of the Vienna Programme of Action would require the formulation of a strategy to encourage educational activities for the enjoyment of human rights. Respect for human rights and fundamental freedoms could be enhanced through education on human rights, democracy and development; it was therefore time to pay greater attention to economic, social and cultural rights, which had long been ignored. To that end, it was important to strengthen the national capacities of countries, and especially developing countries, particularly with regard to the administration of justice, by providing advisory services and technical assistance. A permanent consultative mechanism should therefore be created on a global scale, with national, subregional and regional machinery responsible for promoting the enjoyment of human rights in the coming years. He reiterated his delegation's full support for the idea of proclaiming a Decade for human rights, one of the goals of which must be to enhance cooperation, consultation and coordination on human rights issues within and outside the United Nations system. The Secretary-General of the United Nations had a crucial role to play in that regard, and the new High Commissioner for Human Rights must submit concrete, practical proposals to the Commission. His delegation pledged to do its utmost to promote the noble cause of human rights and looked forward to receiving any suggestions which might be made in that regard. It would particularly appreciate any effort to share the views of the various regional bodies on the advancement of human rights and their experience in that area. Progress and comprehensive reports on the question would be particularly useful, as would be the contributions of the various mechanisms established to promote respect for human rights through concerted short-, medium- and long-term measures. Everything should be done to strengthen the capacity of the existing

United Nations mechanisms responsible for monitoring the implementation of human rights instruments, as set forth in document E/CN.4/1994/42, to permit them properly to carry out their mandates.

46. The question of refugees, displaced persons, repatriates and migrant workers was of considerable concern to Kenya, which was facing many serious problems because of the presence of such people in its territory. Kenya therefore urged the international community and the organizations concerned to consider ways of effectively dealing with those problems. Small-scale projects involving the populations in question could be financed and set up so that the affected communities could be repatriated and their ethnic identity and cultural values preserved.

47. If the international community wanted to achieve the human rights objectives defined within the framework of the United Nations, it was essential that States should cooperate more constructively. On the other hand, it was useless for them to engage in political attacks within the Commission, finding fault with one another on human rights issues. It would be wiser to consider those matters calmly in order to find the necessary means to achieve the promotion and protection of human rights throughout the world. Each regional group should identify its priorities so that it could discuss ways of modifying the Commission's agenda and working methods in order to save time and money, produce better reports from the various mechanisms, improve the timing and frequency of the Commission's meetings, and set up a mechanism for monitoring the implementation of the Commission's decisions, resolutions, declarations and plans of action. His delegation hoped that those problems could be dealt with systematically so that the promotion and protection of human rights could be improved.

48. Mr. MABUYAMA (Japan) said that the human rights instruments which had been adopted would not be fully implemented merely by the investigation of allegations of human rights violations or the condemnation of those responsible. Attainment of the objectives set forth in the Vienna Declaration would require strengthened national infrastructures for human rights. The technical assistance activities of the United Nations could help States to modify their institutions and infrastructures to meet international standards, train leaders and establish regulatory mechanisms for the promotion and protection of human rights. Those advisory and technical cooperation services needed to be strengthened, especially in the areas of human rights training, education and institution-building. In that regard, his delegation expressed its satisfaction with the role played by the United Nations Transitional Authority in Cambodia (UNTAC) during the recent elections in that country. It hoped that the United Nations, with the help of the Special Representative of the Secretary-General in Cambodia, would be able to achieve the goals it had established and successfully carry out its programme of activities.

49. In 1993, the programme of advisory services had cooperated with various entities and organizations such as the Electoral Assistance Unit, the Crime Prevention and Criminal Justice Branch, the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Conference on Trade and Development (UNCTAD) and the International Labour Organization (ILO). His delegation felt that those bodies and organizations

had provided strong support to the implementation of the programme. The Voluntary Fund for Technical Cooperation in the Field of Human Rights also needed to be strengthened. For that reason, the Japanese Government had submitted to the parliament a proposal for a contribution of $500,000 in 1994, a five-fold increase over the previous year. In 1993, Japan had also contributed $200,000 to a programme for the training of judges in Cambodia, and it intended to cooperate with the United Nations as much as possible in that area.

50. Mr. MEGALOKONOMOS (Observer for Greece), speaking on behalf of the European Union, said that all the participants in the World Conference on Human Rights had recognized the importance of strengthening the Centre for Human Rights and had affirmed that the Centre should play an important role in coordinating system-wide activities in the field of human rights. The European Union agreed with the Assistant Secretary-General for Human Rights that an integrated approach to the question was needed. The United Nations was engaged in an impressive range of activities and programmes in that field, but, all too often, those programmes lacked an overall vision. The General Assembly had decided to increase the resources allocated to human rights programmes. While the European Union welcomed that development, it believed that the increase was insufficient. In that regard, the European Union and its member States were convinced, in the light of the political developments which the world had witnessed in recent years, that the Organization should be able to free significant resources and redeploy them to the human rights programmes. In late 1993, the General Assembly had also decided to create the post of High Commissioner for Human Rights. The European Union welcomed the appointment of Mr. Ayala Lasso to that post. The High Commissioner's mandate included the issue of the coordinating role of the Centre for Human Rights. The European Union urged the High Commissioner to begin work as soon as possible in order to plan a strategy on the matter. Moreover, the question of coordination should go hand in hand with that of the rationalization, adaptation and strengthening of United Nations machinery in the field of human rights.

51. Mr. OYARCE (Chile) said that international cooperation in the field of human rights, through the intermediary of the advisory services, met the need to provide assistance to countries wishing to develop their human rights systems and meet their international obligations despite limited financial and technical resources. Those activities, which had begun on a modest scale and within the framework of the general budget, had developed thanks to the creation of the United Nations Voluntary Fund. It was clear from the report of the Secretary-General on advisory services in the field of human rights including the Voluntary Fund for Technical Cooperation in the Field of Human Rights (E/CN.4/1994/78 and Add.1), that there had been considerable development in the activities in that field. Major progress had been achieved in the implementation of activities for the promotion and protection of human rights at the national level. For example, assistance had been provided in the areas of electoral and constitutional legislative reform, the administration of justice, the creation of national institutions and activities associated with civil society and NGOs.

52. The specific mandates which the Commission entrusted to the independent experts or special representatives of the Secretary-General under agenda item 19 contributed constructively to critical human rights situations. Those mechanisms must not become a kind of sub-item under agenda item 12. For that reason, within the framework of the rationalization of the Commission's work and agenda, it was important to consider the possibility of including a new item which would fall between agenda items 12 and 19 and would be devoted to complex situations in which a State had the political will to fulfil its international obligations but was faced with obstacles which were difficult to overcome.

53. With regard to advisory services, Chile believed that it was important to support countries in transition and help them strengthen the structures of a State subject to the rule of law, formulate proposals adapted to each situation and involve the Centre for Human Rights with peace-keeping operations, following the model of the activities carried out in Cambodia. Governments must also include plans of action for the promotion and protection of human rights in their development strategies, and that fact must be reflected in the UNDP indicative planning figure.

54. Mr. van Wulfften Palthe resumed the Chair.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE (agenda item 4) (continued) (E/CN.4/1994/14)

55. The CHAIRMAN read out the following declaration:

> "The Commission deplores the massacre of innocent Palestinian worshippers in Hebron today and the consequent outbreak of violence leading to loss of lives in the Palestinian occupied territories.
>
> The Commission takes note of the unequivocal condemnation by the Israeli Government of this act and urges the Israeli occupation authorities to fulfil their responsibility to prevent such crimes and to punish the perpetrators. Such incidents are part of a pattern of violence that endangers the peace process in the Middle East."

The meeting rose at 6.15 p.m.